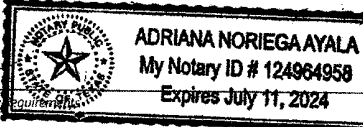

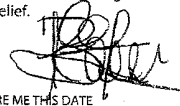


EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: _____ Agency(ies) Charge No(s): _____ <input type="checkbox"/> FEPA <input type="checkbox"/> EEOC	
<b>TEXAS WORKFORCE COMMISSION CIVIL RIGHTS DIVISION</b> and EEOC <small>State or local Agency, if any</small>			
Name (Indicate Mr., Ms., Mrs.) <b>Maria Del Refugio Balli</b>		Home Phone (Incl. Area Code) <b>956-793-2457</b>	Date of Birth <b>06/19/1992</b>
Street Address <b>PO Box 1213</b>		City, State and ZIP Code <b>San Benito, TX 78586</b>	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)			
Name <b>Akima Global Services</b>		No. Employees, Members <b>100+</b>	Phone No. (Incl. Area Code) <b>571-323-5200</b>
Street Address <b>13873 Park Center Road, Suite 400N, Herdon, VA 20171</b>		City, State and ZIP Code	
Name		No. Employees, Members	Phone No. (Incl. Area Code)
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input checked="" type="checkbox"/> OTHER (Specify) <b>Hostile Work Environment</b>			DATE(S) DISCRIMINATION TOOK PLACE Earliest    Latest <b>02-28-2022    02-28-2022</b> <input type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):  <div style="text-align: center; padding: 20px;"> <b>RECEIVED</b>  <b>DEC 23 2022</b>  <b>BY: .....</b> </div>			
See attachment.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State or Local Agency requirements. 	
I declare under penalty of perjury that the above is true and correct.  <div style="display: flex; justify-content: space-between;"> <div> <b>12-21-2022</b>  <small>Date</small> </div> <div>   <small>Charging Party Signature</small> </div> </div>		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT  SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE <small>(month, day, year)</small> <b>December 21, 2022</b>	

Ex. A

**Claimant: BALLI, MARIA, phone number 956-793-2457**

**Charge of Discrimination – THE PARTICULARS ARE:**

On **February 28, 2022**, I was removed as an Aviation Security Officer (“ASO”) from Akima Global Services (“AGS”) a federal government contractor with the U.S. Department of Homeland Security (“DHS”). AGS’ headquarters is located at 13873 Park Center Road, Suite 400N, Herndon, VA 20171. I was hired as an ASO transporting illegal aliens who were deported by the Immigration Court (“IC”) and/or the DHS back to the alien’s country of origin. AGS is a government contractor and falls within the ambit of Executive Order 11246, antidiscrimination Presidential order as applied to federal contractors.

The issue before the U.S. Equal Employment Opportunity Commission (“Commission”) is whether or not I was discriminated against based on my gender, national origin (Hispanic/Spanish Surname American), reprisal and intentionally exposed to a hostile work environment when AGS removed me on February 28, 2022 from my job as an ASO.

After being hired, I was informed that I was expected to report my fellow employees for any questionable incidents, whether or not I witnessed my fellow employees’ conduct at issue. I was informed that I was expected to support my supervisors and managers no matter what the conduct at issue was. I was ordered to go along with whatever supervisors and managers ordered. I was ordered to tell on my coworkers. When I questioned the effect of being an informant for any little incident, I was told that if I did not like having to report my fellow employees I would be “fired”. This posture by the ICE supervisor immediately open the door to a **hostile working environment** between supervisors/management verses me.

On **November 8, 2021**, on the flight back to Harlingen (HRL), TX from Alexandria, Louisiana (AEX), ASO Martinez and I were standing near the rear of the aircraft engaged in conversation with another ASO, a couple of rows away from where flight attendant Claudia and ASO Diaz were also conversing. The lights were off and mostly everyone was asleep including DHS’ field officer in-charge (FOIC). The chime for the seatbelt had just turned on. Without much allotted time, possibly 10 seconds, we hear a flight attendant over the intercom tell ASO Martinez and I to sit down. We walked to our seats and sat down. No one came down the aisle, or made any other contact or addressed us in anyway except over the intercom. Since flight attendant Claudia was already in the back and was the rear flight attendant for the entire mission, no other flight attendant did compliance check. However, lies were created by flight attendant Erica that the flight

attendants had to tell Martinez and me several times to sit down, even that they had to walk up to us and tell us to sit down. This did not happen.

On **November 15, 2021**, I was scheduled to work a mission from the Harlingen, TX to El Paso, TX to pick up detainees to be dropped off in Houston, TX for an ICE Air Operations. Alma Cepeda who is one of the Classic Air representatives at our site (Harlingen) flew with us that day. At the end of the mission, she advised LASO (Lead Aviation Security Officer) Ramon Rodela to address us in our debriefing about sitting down when the seat belt chime sounds, that an indicator illuminated and that everyone had gone well. To our surprise she reported this to Mario Benavides (Classic Air Representative) after telling the lead everything had gone well. It was then I received a call from my supervisor and site manager Rachid Alcalá. He explained that I had been reported for not sitting down when the seat belt light turned on and for being too loud and laughing. I told him the flight from El Paso to Houston is short and there was only time to work and nothing else. We were empty on our way to El Paso from Harlingen and from Houston to Harlingen and that she sat right in front of me because my post duties for that day were front cabin/Cockpit. I then proceeded to explain to him that there is a 20 minute descend. At the first chime the seat belt sign is turned on and we are to sit down. At the remaining 10 minutes there is a second chime and this is when we escort the flight attendant to the back of the plane. I told him the chime was back-to-back without any time but to go straight to our seats and that was when we were reported. I said "...It's not like we stood for 20 seconds or even 5 seconds. The chimes rang back-to-back, and we sat down." I told him that is how it occurred nothing more nothing less. I explained that it was not right for the flight attendants be allowed to lie. And, if they are just going to be looking at me to report me, I felt targeted because other officers were standing and how come their names did not get mentioned. He agreed that it seemed as if I was not liked and was being targeted. I said that the wife of the FOIC suspended me twice without any written disciplinary action concerning a mistake that many others have done and no suspension happened to the others, but I get suspended. Now again she is reporting only me, that sounds personal and intentionally targeting me.

On **November 17, 2021**, Immigration and Customs Enforcement (ICE) supervisor Leon Lopez addressed us at a debriefing after completing an international mission. He advised us to report flight attendants when they do not do their job. We asked for clarification because we do not even know their job description and are not hired to oversee any of their duties. ASO Raul Martinez concurred and explained that this reporting back and forth is creating hostility among the ASOs and the flight attendants. And, that we work together daily and that Leon Lopez is allowing and creating conflict to create a hostile workplace environment. At this time, Mr. Lopez said, "Whatever report I get I must back it up because it came to me first and I need to take care of the problem." I asked, "What about the truth and about getting both sides and not just one side of the story." ASO Oliveira then asked, "...So you do not have our backs?" Mr. Lopez said, "no". Oliveira then said, "...Ok, then I see where you stand." At this point, "We were told to report

them before they report us.” Specifically, pursuant to Leon Lopez, compliance checks where the flight attendants are required to walk or be escorted to the back of the aircraft was not being done with any consistency as required.

On **November 22, 2021**, flight attendant Nisa was being escorted to the back of the aircraft by ASO Garza and ASO Munoz while doing compliance check upon departure from Indiana. Flight attendant Nisa told ASO Munoz to address me about my backseat being slightly reclined. Without hesitation, I fixed my seat to the upright position. Upon returning to the front of the aircraft flight attendant Nisa directly addressed ASO Martinez about his backseat being reclined. Without hesitation ASO Martinez fixed his seat to the upright position. In flight, Flight attendants and both FOICs Govea and Mardar, LASO Rodela and ASO Emmanuel Pizana discussed what occurred at cockpit. Rodela explained to us that he was getting different versions from the flight attendants, and **it was apparent they were lying**. Flight attendants said that we were noncompliant after we both did as we were told and that we had rolled our eyes. At the end of the day, I received a heated call from Alcalá as he was clearly upset and telling me what I had done. I told him he should ask me and allow me the opportunity to explain before assuming what he was told was true. I told him I was tired of the harassment, toxicity, and conflict at my workplace. I told him that I was being targeted. He asked if I felt that way to let him know so he could report it and that he had already asked FOIC Cepeda if he had anything against me and he said, “No”. I asked him and you really think he would tell you yes or the truth? I told him, “I highly doubt it”. I told him these were allegations and lies created and how coincidental that two of the ASO’s who elected not to take the COVID immunization were now being targeted and “reported”.

On **November 23, 2021**, Alcalá called me to tell me he was sending an updated schedule and he was removing me from the schedule starting the next day due to a pending investigation for what had occurred. That same week ASO Garza spoke to Alcalá and asked why her statement was not asked for since she was involved and a witness to what occurred. Alcalá said he did not know ASO Garza was a witness. LASO Rodela then showed Garza the text message where he sent the names involved and Garza’s name was cited. My supervisor failed to get a sufficient amount of statements from all who were involved to support how the events happened or to dispute the allegations against me.

**December 6, 2021**, I filed a claim of discrimination against AGS based on my being summarily removed from my job on November 24, 2021.

**February 28, 2022**, I was formally removed from my job with AGS. I believe I was removed from AGS due to my female gender, hostile work environment, National Origin—Mexican American, retaliation for filing an Equal Employment Opportunity (EEO) complaint with the Texas Workforce Commission Civil Rights Division against AGS on December 6, 2021.

**Claims of Discrimination:**

Gender/Female

Retaliation-filed EEO complaint on December 6, 2021, Removed on February 28, 2022

Hostile Work Environment—ordered to turn in fellow coworkers

National Origin—Hispanic

**DESIGNATION OF REPRESENTATIVE**

I, Maria Balli, the Complainant, hereby designate Attorney Lorenzo W. Tijerina as my representative in my complaint before the US Equal Employment Opportunity Commission. The address, telephone number and email of my representative is:

1911 Guadalupe Street  
San Antonio, TX 78207  
Telephone No. (210) 231-0112  
Email address: [tasesq@msn.com](mailto:tasesq@msn.com)

12-21-2022  
Date

  
\_\_\_\_\_  
Maria Balli, the Complainant



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

San Antonio Field Office  
5410 Fredericksburg Road, Suite 200  
San Antonio, TX 78229  
(210) 640-7530  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### **DETERMINATION AND NOTICE OF RIGHTS**

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 01/30/2023

To: Maria Del Refugio Balli  
P.O. Box 1213  
San Benito, TX 78586

Charge No: 451-2023-00882  
EEOC Representative and email: Maribel Rosales, Investigator  
[maribel.rosales@eeoc.gov](mailto:maribel.rosales@eeoc.gov)

### **DISMISSAL OF CHARGE**

The EEOC is closing this charge because it lacks jurisdiction over the matter as the employer is a private membership club or tribal entity.

### **NOTICE OF YOUR RIGHT TO SUE**

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 451-2023-00882.

On behalf of the Commission,

  
for Norma J. Guzman, Field Director

**Cc:**

MARIA DEL REFUGION BALLI  
c/o Lorenzo W Tijerina  
1911 Guadalupe Street  
San Antonio, TX 78207

AKIMA GLOBAL SERVICES  
Attn: Laura Mitchell  
13873 Park Center Road, Ste. 400N  
Herndon, VA 20171

Please retain this notice for your records.